

EXHIBIT B

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BOXABL INC.,

Plaintiff,

v.

JONATHAN GARMAN,

Defendant

Case No. 2:23-cv-01213-RFB-NJK

**RESPONSES TO DEFENDANT’S FIRST  
SET OF REQUESTS FOR PRODUCTION  
OF DOCUMENTS**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant Jonathan Garman (“Garman,” “Defendant,” or “Responding Party”), responds to Plaintiff Boxabl Inc.’s (“Boxabl,” “Plaintiff,” or “Propounding Party”) First Set of Requests for Production of Documents as follows:

**DEFINITIONS**

The following definitions apply to Defendant’s objections:

A. “Nondiscoverable/Irrelevant” - The Request in question concerns a matter that is not relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.

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1           4.       No incidental or implied admissions will be made by the answers. The fact that  
2 Responding Party may respond or object to any Request, or part thereof, shall not be deemed an  
3 admission that Responding Party accepts or admits the existence of any fact set forth or assumed by  
4 such Request, or that such answer constitutes admissible evidence. The fact that Responding Party  
5 responds to part of any Request is not to be deemed a waiver by it of its objections, including  
6 privilege, to other parts to such Request.  
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8           5.       Responding Party objects to any request for information to the extent that it would  
9 impose upon Responding Party greater duties than are set forth under the Federal Rules of Civil  
10 Procedure. Responding Party will supplement its answers to certain requests as required by all  
11 applicable rules.  
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13           6.       Each answer will be subject to all objections as to competence, relevance, materiality,  
14 propriety, privilege, and admissibility, and to any and all other objections on any ground which  
15 would require the exclusion from evidence of any statement herein if any such statements were made  
16 by a witness present and testifying at trial, all of which objections and grounds are expressly  
17 reserved and may be interposed at such hearings.

18           7.       Subject to their objections and to the extent they are within Responding Party's  
19 possession, custody, or control, Responding Party will make documents available via an encrypted  
20 link.  
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22           8.       Responding Party adopts by reference the above objections and incorporates each  
23 objection as if it was fully set forth in each of Responding Party's responses.

24       **GENERAL RESPONSE TO ALL REQUESTS FOR PRODUCTION OF DOCUMENTS**

25           The responses contained herein are based upon information known to date. Discovery is  
26 continuing and Responding Party reserves the right to supplement each and every answer as more  
27 information becomes available throughout the discovery process.  
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**RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS**

**REQUEST NO. 1:** All documents or communications referenced in the Complaint and/or Counterclaim.

**RESPONSE TO REQUEST NO. 1:** This request relates to the scope of the Complaint. The complaint is limited to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In addition, Boxabl has failed to produce any documents or communications references in the complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process of reviewing his text messages from the relevant timeframe and will be producing non-protected texts.

**REQUEST NO. 2:** All documents or communications that evidence, embody, reflect, relate to, or tend to substantiate any defenses upon which you will assert or rely upon in this action.

**RESPONSE TO REQUEST NO. 2:** This request relates to the scope of this action. The complaint is limited to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In

1 addition, Boxabl has failed to produce any documents or communications references in the  
2 complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that  
3 should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

4 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
5 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
6 texts.

7 **REQUEST NO. 3:** All documents that refer or relate in any way to the terms and conditions of  
8 Defendant’s employment with Boxabl including, but not limited to, offers of employment, contracts  
9 of employment (including any draft agreements, revisions, amendments, or supplemental  
10 agreements between the parties), and documents relating to employment compensation, bonuses,  
11 tips, other benefits, and company policies you received while employed by Boxabl.

12 **RESPONSE TO REQUEST NO. 3:** This request seeks irrelevant information as it asks for “all  
13 documents that refer or relate in any way to the terms and conditions of Defendant’s employment  
14 with Boxabl.” As written, this request would require Defendant to search for and produce  
15 documents that have no relation to the subject matter of this case, rendering it unduly burdensome  
16 and overbroad.  
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18 Without waiving these objections, see DEF000385–DEF053686.

19 **REQUEST NO. 4:** All documents and/or communications that refer or relate in any way to your  
20 employment with Boxabl, including any documents authored, sent or received by any person  
21 associated with Boxabl (including its attorneys).  
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1 **RESPONSE TO REQUEST NO. 4:** This topic is so overbroad that it is practically meaningless. It  
2 does not even contain a timeframe. Garman was Boxabl's Controller, which involved reviewing a  
3 multitude of documents and engaging in vast communications with Boxabl employees. This request  
4 is not relevant to Boxabl's claim nor proportional to the needs of the case, and does not seek  
5 discoverable information. FRCP 26(b). Therefore, Defendant interprets this request to be limited to  
6 refer to private conversations between Garman and other Boxabl employees within Boxabl's  
7 premises from September 30, 2022 to March 10, 2023.  
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9 Without waiving these objections, see DEF000385–DEF053686.

10 **REQUEST NO. 5:** Copies of all documents relied upon by any expert retained by or on behalf of  
11 Defendant in this litigation in preparing its reports and/or opinions.  
12

13 **RESPONSE TO REQUEST NO. 5:** Defendant has not retained an expert in this case at this time.

14 **REQUEST NO. 6:** All signed and unsigned written statements drafted by Defendant pertaining to  
15 the facts or claims alleged in the Complaint and/or Counterclaim.

16 **RESPONSE TO REQUEST NO. 6:** This request relates to the scope of the Complaint. The  
17 complaint is limited to private conversations between Garman and other Boxabl employees within  
18 Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16.  
19 However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition  
20 Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the  
21 complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations  
22 between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to  
23 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
24 26(b). In addition, Boxabl has failed to produce any documents or communications references in the  
25 complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that  
26 should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

27 Without waiving these objections, see DEF000385–DEF053686.  
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1 **REQUEST NO. 7:** Any and all documents created or signed by you following the date of your  
2 termination from Boxabl that refer or relate to Boxabl in any way.

3 **RESPONSE TO REQUEST NO. 7:** Boxabl's complaint is extremely limited and focused in its  
4 allegations regarding Garman's conduct. The only relevant conduct allegedly took place from  
5 September 30, 2022 to March 10, 2023 between Garman and other Boxabl employees within  
6 Boxabl's premises. See ECF No. 43 at ¶¶ 6, 7, 10, 16. These requests specifically ask for  
7 documents created after Garman left Boxabl. This is not relevant to Boxabl's claim nor proportional  
8 to the needs of the case, and is therefore not discoverable. FRCP 26(b).  
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10 **REQUEST NO. 8:** Any and all documents in your possession custody or control which you  
11 obtained from Boxabl during the course of your employment.  
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13 **RESPONSE TO REQUEST NO. 8:** See DEF000385–DEF053686.

14 **REQUEST NO. 9:** Any and all documents provided by any third party to you that refer or relate to  
15 Boxabl in any way.

16 **RESPONSE TO REQUEST NO. 9:** This is the exact opposite of what is at issue in the complaint.  
17 Boxabl's claim against Garman alleges that Garman disclosed information to other Boxabl  
18 employees. See ECF No. 43 at ¶ 16. Information that was provided to Garman is not relevant to  
19 Boxabl's claim, and is therefore not discoverable. FRCP 26(b). In addition, the timeframe (or lack  
20 thereof) makes this request disproportionate to the needs of the case. *Id.*  
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22 **REQUEST NO. 10:** Any and all text messages or e-mails sent or received by you from September  
23 1, 2022 and the present that contain one or more of the following words:

24 a. Boxabl

25 b. Paolo

26 c. Gali

27 d. Galiano

28 e. Ehlers



- f. Casita
- g. Gregory
- h. Taylor
- i. Murray
- j. SEC
- k. Lawsuit
- l. Case
- m. Litigation
- n. Claim
- o. Yanni
- p. Tassev
- q. whistle blower
- r. Business Insider
- s. Gossage
- t. Hernandez
- u. Lawyer
- v. Attorney

**RESPONSE TO REQUEST NO. 10:** The only relevant conduct in Boxabl’s complaint allegedly took place from September 30, 2022 to March 10, 2023 between Garman and other Boxabl employees within Boxabl’s premises. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. This request deals with an overbroad timeframe, communications that took place outside of Boxabl’s premises, and targets the SEC investigation into Boxabl, which is privileged and protected information that is outside the scope of the complaint. *See* Defendant’s Motion for Protective Order and to Quash Deposition Subpoenas. This request is not relevant to Boxabl’s claim nor proportional to the needs of the case, and does not seek discoverable information. FRCP 26(b).

1 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
2 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
3 texts.

4 **REQUEST NO. 11:** Any and all documents evidencing or concerning the damages you allegedly  
5 sustained as set forth in the Counterclaim and/or evidencing or concerning the value thereof.

6 **RESPONSE TO REQUEST NO. 11:** Defendant has not filed a counterclaim at this time.

7 **REQUEST NO. 12:** All reports or documents prepared by experts, witnesses, inspectors,  
8 investigators, administrators, or repair providers relating to any facts or any claims set forth in the  
9 Complaint and/or in the Counterclaim.

10 **RESPONSE TO REQUEST NO. 12:** Defendant has not retained any expert, inspector,  
11 investigator, administrator, or repair providers in this case at this time. Defendant does not have any  
12 reports or documents prepared by witnesses relating to any facts or any claims set forth in the  
13 Complaint.

14 **REQUEST NO. 13:** The most up-to-date curriculum vitae of each expert witness you intend to call  
15 at trial in this action.

16 **RESPONSE TO REQUEST NO. 13:** Defendant has not retained an expert in this case at this time.

17 **REQUEST NO. 14:** Any and all documents evidencing or concerning any witness you intend to  
18 call or will call at any trial or evidentiary hearing in this above-captioned action.

19 **RESPONSE TO REQUEST NO. 14:** There is no trial or evidentiary hearing on calendar at this  
20 time.

21 **REQUEST NO. 15:** All documents evidencing or concerning all communications between (i)  
22 Plaintiff including Plaintiff's representatives/agents and (ii) Defendant including Defendant's  
23 representatives/agents relating to the matters set forth in the Complaint and/or Counterclaim.

24 **RESPONSE TO REQUEST NO. 15:** This request relates to the scope of the Complaint. The  
25 complaint is limited to private conversations between Garman and other Boxabl employees within  
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Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In addition, Boxabl has failed to produce any documents or communications references in the complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process of reviewing his text messages from the relevant timeframe and will be producing non-protected texts.

**REQUEST NO. 16:** All documents evidencing or concerning all communications between (i) Defendant including Defendants' representatives/agents and (ii) employees or former employees of Boxabl relating to the matters set forth in the Complaint and/or Counterclaim.

**RESPONSE TO REQUEST NO. 16:** This request relates to the scope of the Complaint. The complaint is limited to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In addition, Boxabl has failed to produce any documents or communications references in the complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

1 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
2 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
3 texts.

4 **REQUEST NO. 17:** All documents evidencing or concerning all communications between (i)  
5 Defendant including Defendants’ representatives/agents and (ii) investors, potential or former  
6 investors, or other business associates of Boxabl relating to the matters set forth in the Complaint  
7 and/or Counterclaim.

8 **RESPONSE TO REQUEST NO. 17:** This request relates to the scope of the Complaint. The  
9 complaint is limited to private conversations between Garman and other Boxabl employees within  
10 Boxabl’s premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16.  
11 However, as discussed in Defendant’s Motion for Protective Order and to Quash Deposition  
12 Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the  
13 complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations  
14 between Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to  
15 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
16 26(b). In addition, Boxabl has failed to produce any documents or communications references in the  
17 complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that  
18 should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

19 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
20 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
21 texts.

22 **REQUEST NO. 18:** All documents evidencing or concerning all communications between (i)  
23 Defendant including Defendant’s representatives/agents and (ii) personnel from or representing any  
24 regulatory or governmental agency or any subdivision thereof, relating to the matters set forth in the  
25 Complaint and/or Counterclaim.

26 **RESPONSE TO REQUEST NO. 18:** This request relates to the scope of the Complaint. The  
27 complaint is limited to private conversations between Garman and other Boxabl employees within  
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Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In addition, Boxabl has failed to produce any documents or communications references in the complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process of reviewing his text messages from the relevant timeframe and will be producing non-protected texts.

**REQUEST NO. 19:** All documents evidencing or concerning all communications between (i) Defendant including Defendant's representatives/agents and (ii) personnel from or representatives of any journalistic organization or news agency, or content creator on social media, relating to the matters set forth in the Complaint and/or Counterclaim.

**RESPONSE TO REQUEST NO. 19:** This request relates to the scope of the Complaint. The complaint is limited to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant's Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In addition, Boxabl has failed to produce any documents or communications references in the complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

1 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
2 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
3 texts.

4 **REQUEST NO. 20:** All evidence, demonstratives, presentations, exhibits, tangible things, or other  
5 documents or communications you intend to offer at trial or present to a fact-finder, whether as  
6 evidence or otherwise relating to the matters set forth in the Complaint and/or Counterclaim.

7 **RESPONSE TO REQUEST NO. 20:** There is no trial or evidentiary hearing on calendar at this  
8 time.

9 **REQUEST NO. 21:** All agreements, contracts, and contract documents, including all modifications  
10 thereto, between you and the Plaintiff.

11 **RESPONSE TO REQUEST NO. 21:** See DEF025165–DEF025169.

12 **REQUEST NO. 22:** All documents that refer or relate in any way to the evaluation, formal or  
13 informal (i.e. warnings, reprimands or suspensions) of your employment with Boxabl.

14 **RESPONSE TO REQUEST NO. 22:** There are no documents responsive to this request, as  
15 Defendant never received a warning, reprimand, or suspension prior to his termination.

16 **REQUEST NO. 23:** All documents that refer or relate in any way to your duties, obligations, and  
17 requirements as an employee of Boxabl.

18 **RESPONSE TO REQUEST NO. 23:** This request seeks irrelevant information as it asks for “all  
19 documents that refer or relate in any way to your duties, obligations, and requirements as an  
20 employee of Boxabl.” As written, this request would require Defendant to search for and produce  
21 documents that have no relation to the subject matter of this case, rendering it unduly burdensome  
22 and overbroad.

23 Without waiving these objections, see DEF000385–DEF053686.

24 **REQUEST NO. 24:** All documents that specify your job description at Boxabl from the  
25 commencement of your employment until your termination.

26 **RESPONSE TO REQUEST NO. 24:** See DEF053674–DEF053676; DEF025165–DEF025169.

**REQUEST NO. 25:** All documents that evidence or concern changes in your job role or duties during the course of your employment at Boxabl.

**RESPONSE TO REQUEST NO. 25:** There are no responsive documents, as Defendant's job role or duties were not changed during the course of his employment with Boxabl, though his role and duties were not accurately represented to him prior to beginning his work at Boxabl.

**REQUEST NO. 26:** Copies of all transcripts from all depositions during which you were deposed for the past seven years including specifically a copy of the transcript from any deposition you participated in with the Securities Exchange Commission (SEC).

**RESPONSE TO REQUEST NO. 26:** This request seeks all depositions Garman has participated in for the last seven years, regardless of the subject matter. However, Boxabl makes it clear that it is explicitly targeting communications relating to the SEC investigation into Boxabl, which is privileged and protected information that is outside the scope of the complaint. This request is not relevant to Boxabl's claim nor proportional to the needs of the case, and does not seek discoverable information. FRCP 26(b).

**REQUEST NO. 27:** Copies of all materials you reviewed in preparation for your interview with the SEC, including any information or documents provided to you by Gregory Ehlers.

**RESPONSE TO REQUEST NO. 27:** Boxabl's claim against Garman alleges that Garman disclosed information to other Boxabl employees. *See* ECF No. 43 at ¶ 16. Information that was provided to Garman is not relevant to Boxabl's claim, and is therefore not discoverable. FRCP 26(b). In addition, Boxabl is explicitly targeting communications relating to the SEC investigation into Boxabl, which is privileged and protected information that is outside the scope of the complaint. This request is not relevant to Boxabl's claim nor proportional to the needs of the case, and does not seek discoverable information. FRCP 26(b).

1 **REQUEST NO. 28:** Any and all past and current resumes, recommendations, degrees, diplomas,  
2 certificates, transcripts, awards, evaluations, and other documents related to your profession,  
3 experience, education, achievements, ability, or qualifications to perform each position you held or  
4 sought to hold with Boxabl.

5 **RESPONSE TO REQUEST NO. 28:** This request seeks irrelevant information. The complaint is  
6 limited to private conversations between Garman and other Boxabl employees within Boxabl's  
7 premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. There are  
8 no allegations regarding Garman's qualifications, nor is this reasonably calculated to lead to relevant  
9 information.  
10

11 **REQUEST NO. 29:** All documents or communications evidencing or concerning any promotions,  
12 commendations or recognitions you received regarding your employment at Boxabl.

13 **RESPONSE TO REQUEST NO. 29:** There are no responsive documents, as Defendant did not  
14 receive any promotions, commendation, or recognitions while working at Boxabl.  
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16 **REQUEST NO. 30:** All documents that refer or relate to any purported adverse employment  
17 decisions or actions of any nature taken with respect to you by Boxabl or any of its employees or  
18 agents including, but not limited to, any reprimands, complaints, grievances, counseling actions,  
19 termination letter and/or disciplinary actions.  
20

21 **RESPONSE TO REQUEST NO. 30:** This request seeks irrelevant information as it asks for "all  
22 documents that refer or relate to any purported adverse employment decisions or actions of any  
23 nature." As written, this request would require Defendant to search for and produce documents that  
24 have no relation to the subject matter of this case, rendering it unduly burdensome and overbroad.

25 Without waiving these objections, Defendant received no reprimands, complaints,  
26 grievances, counseling actions, and/or disciplinary actions prior to his termination.

27 **REQUEST NO. 31:** All documents or communications evidencing or concerning any warnings or  
28 notices you provided to Plaintiff.



1 **RESPONSE TO REQUEST NO. 31:** This request is vague and ambiguous regarding what  
2 constitutes “warnings or notices.” In addition, there is no timeframe in this request.

3 Without waiving these objections, see DEF000385–DEF053686.

4 **REQUEST NO. 32:** All documents evidencing or concerning all communications between (i)  
5 Defendant and (ii) any third party regarding Boxabl since Defendant’s termination of employment at  
6 Boxabl.

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8 **RESPONSE TO REQUEST NO. 32:** Boxabl’s complaint is extremely limited and focused in its  
9 allegations regarding Garman’s conduct. The only relevant conduct allegedly took place from  
10 September 30, 2022 to March 10, 2023 between Garman and other Boxabl employees within  
11 Boxabl’s premises. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. These requests specifically ask for  
12 documents created after Garman left Boxabl and exchanged with third parties. This is not relevant  
13 to Boxabl’s claim nor proportional to the needs of the case, and is therefore not discoverable. FRCP  
14 26(b).  
15

16 **REQUEST NO. 33:** All documents or communications evidencing or concerning your personnel  
17 file at Boxabl.

18 **RESPONSE TO REQUEST NO. 33:** This request is vague and ambiguous regarding what  
19 constitutes Defendant’s “personnel file.”  
20

21 Without waiving these objections, see DEF000385–DEF053686.

22 **REQUEST NO. 34:** All documents that refer or relate in any way to your employment or attempts  
23 to obtain employment during and/or subsequent to the end of your employment with Boxabl  
24 including, but not limited to, applications, offer letters, documents relating to job title, job status,  
25 rates of pay, bonuses, pay stubs and vouchers, employee handbooks and benefit statements,  
26 insurance payments, health or welfare benefits, stock options or other benefits to be paid or provided  
27 to you (regardless whether those benefits were actually obtained).  
28

1 **RESPONSE TO REQUEST NO. 34:** After leaving Boxabl, Garman has only worked for the  
2 Department of Defense in Hawaii. Any further information about his work is sensitive, confidential,  
3 and completely irrelevant to this case.

4 **REQUEST NO. 35:** All documents or communications evidencing any employment role or duties  
5 you performed as paid work since your departure from Boxabl.  
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7 **RESPONSE TO REQUEST NO. 35:** After leaving Boxabl, Garman has only worked for the  
8 Department of Defense in Hawaii. Any further information about his work is sensitive, confidential,  
9 and completely irrelevant to this case.

10 **REQUEST NO. 36:** All permissions or authorizations or waivers you received from Boxabl during  
11 the relevant period.

12 **RESPONSE TO REQUEST NO. 36:** This request is vague as to what constitutes “permissions or  
13 authorizations or waivers.” This request seeks overbroad and unduly burdensome information as it  
14 asks for “permissions or authorizations or waivers you received from Boxabl during the relevant  
15 period.” This could include every document and communication where Boxabl asked Defendant to  
16 perform any task.

17 Without waiving these objections, see DEF000385–DEF053686.

18 **REQUEST NO. 37:** All documents evidencing or concerning any and all online profiles, postings,  
19 messages (including, without limitation, tweets, replies, retweets, direct messages, instant messages,  
20 status updates, wall comments, groups joined, activity streams, and blog entries), photographs,  
21 videos, and communications that concern one or more allegations set forth in the Complaint and/or  
22 any aspect of your employment with Boxabl.

23 **RESPONSE TO REQUEST NO. 37:** This request relates to the scope of the Complaint. The  
24 complaint is limited to private conversations between Garman and other Boxabl employees within  
25 Boxabl’s premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16.  
26 However, as discussed in Defendant’s Motion for Protective Order and to Quash Deposition  
27 Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the  
28

1 complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations  
2 between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to  
3 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
4 26(b). In addition, Boxabl has failed to produce any documents or communications references in the  
5 complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that  
6 should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

7 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
8 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
9 texts.

10 **REQUEST NO. 38:** All documents that refer to, relate to, or support your contention, if any, that  
11 Boxabl violated requirements of the Securities and Exchange Commission.

12 **RESPONSE TO REQUEST NO. 38:** Boxabl is explicitly targeting communications relating to the  
13 SEC investigation into Boxabl, which is privileged and protected information that is outside the  
14 scope of the complaint. This request is not relevant to Boxabl's claim nor proportional to the needs  
15 of the case, and does not seek discoverable information. FRCP 26(b).

16 **REQUEST NO. 39:** All documents you received or produced to the Securities and Exchange  
17 Commission that in any way related to or concern Boxabl.

18 **RESPONSE TO REQUEST NO. 39:** Boxabl is explicitly targeting communications relating to the  
19 SEC investigation into Boxabl, which is privileged and protected information that is outside the  
20 scope of the complaint. This request is not relevant to Boxabl's claim nor proportional to the needs  
21 of the case, and does not seek discoverable information. FRCP 26(b).

22 **REQUEST NO. 40:** All audio or video recordings taken by you during your employment at Boxabl.

23 **RESPONSE TO REQUEST NO. 40:** There are no documents responsive to this request, as  
24 Garman never took any audio or video recordings during his employment at Boxabl.  
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1 **REQUEST NO. 41:** All discovery responses, affidavits, declarations, and testimony given at trial or  
2 during discovery in any other proceeding to which you were a party or witness.

3 **RESPONSE TO REQUEST NO. 41:** This request seeks materials in any case Garman has ever  
4 participated in, with no timeframe and regardless of the subject matter. However, Boxabl has made  
5 it clear that it is targeting communications relating to the SEC investigation into Boxabl, which is  
6 privileged and protected information that is outside the scope of the complaint. These requests are  
7 not relevant to Boxabl's claim nor proportional to the needs of the case, and do not seek discoverable  
8 information. FRCP 26(b).

10 **REQUEST NO. 42:** All documents and communications evidencing or concerning your computer  
11 access authorizations at Boxabl.

12 **RESPONSE TO REQUEST NO. 42:** This request seeks overbroad and unduly burdensome  
13 information as it asks for "all documents and communications evidencing or concerning your  
14 computer access authorizations at Boxabl." This could include every document and communication  
15 where Boxabl asked Defendant to perform a task that required computer access.

16 Without waiving these objections, see DEF000385–DEF053686.

17 **REQUEST NO. 43:** All documents and communications evidencing or concerning the salaries of  
18 Boxabl leadership personnel.

19 **RESPONSE TO REQUEST NO. 43:** This request seeks irrelevant information as it asks for "all  
20 documents and communications evidencing or concerning the salaries of Boxabl leadership  
21 personnel." Defendant was Boxabl's controller, whose duties included working on Boxabl's  
22 financial operations. As written, this request would require Defendant to search for and produce  
23 documents that have no relation to the subject matter of this case, rendering it unduly burdensome  
24 and overbroad. It also contains no timeframe.

25 Without waiving these objections, see DEF000385–DEF053686.

1 **REQUEST NO. 44:** All documents and communications evidencing or concerning Boxabl’s  
2 financial holdings/assets and Boxabl’s ability or perceived ability to sustain its operations.

3 **RESPONSE TO REQUEST NO. 44:** This request seeks irrelevant information as it asks for “all  
4 documents and communications evidencing or concerning Boxabl’s financial holdings/assets and  
5 Boxabl’s ability or perceived ability to sustain its operations.” Defendant was Boxabl’s controller,  
6 whose duties included working on Boxabl’s financial operations. As written, this request would  
7 require Defendant to search for and produce documents that have no relation to the subject matter of  
8 this case, rendering it unduly burdensome and overbroad. It also contains no timeframe.

9 Without waiving these objections, see DEF000385–DEF053686.

10 **REQUEST NO. 45:** All documents and communications evidencing or concerning the salaries  
11 and/or Boxabl stock holdings of non-leadership Boxabl employees.

12 **RESPONSE TO REQUEST NO. 45:** This request seeks irrelevant information as it asks for “all  
13 documents and communications evidencing or concerning the salaries and/or Boxabl stock holdings  
14 of non-leadership Boxabl employees.” Defendant was Boxabl’s controller, whose duties included  
15 working on Boxabl’s financial operations. As written, this request would require Defendant to  
16 search for and produce documents that have no relation to the subject matter of this case, rendering it  
17 unduly burdensome and overbroad. It also contains no timeframe.

18 Without waiving these objections, see DEF000385–DEF053686.

19 **REQUEST NO. 46:** All documents and communications evidencing or concerning your beliefs or  
20 statements, if any, that Boxabl stock was “diluted and overvalued”.

21 **RESPONSE TO REQUEST NO. 46:** This request seeks irrelevant information as it asks for “all  
22 documents and communications evidencing or concerning your beliefs or statements, if any, that  
23 Boxabl stock was ‘diluted and overvalued.’ ” Defendant was Boxabl’s controller, whose duties  
24 included working on Boxabl’s financial operations. As written, this request would require  
25 Defendant to search for and produce documents that have no relation to the subject matter of this  
26 case, rendering it unduly burdensome and overbroad. The request also contains no timeframe.

27 Without waiving these objections, see DEF000385–DEF053686.

1 **REQUEST NO. 47:** All documents and communications evidencing or concerning what other  
2 Boxabl employees were receiving as Christmas bonuses.

3 **RESPONSE TO REQUEST NO. 47:** This request seeks irrelevant information as it asks for “all  
4 documents and communications evidencing or concerning what other Boxabl employees were  
5 receiving as Christmas bonuses.” Defendant was Boxabl’s controller, whose duties included  
6 working on Boxabl’s financial operations. As written, this request would require Defendant to  
7 search for and produce documents that have no relation to the subject matter of this case, rendering it  
8 unduly burdensome and overbroad. The request also contains no timeframe.

9 Without waiving these objections, see DEF000385–DEF053686.

10 **REQUEST NO. 48:** All documents and communications evidencing or concerning your belief or  
11 statement if that Boxabl stock options would be worth only a nominal sum in the future.

12 **RESPONSE TO REQUEST NO. 48:** This request seeks irrelevant information as it asks for “all  
13 documents and communications evidencing or concerning your belief or statement if that Boxabl  
14 stock options would be worth only a nominal sum in the future.” Defendant was Boxabl’s controller,  
15 whose duties included working on Boxabl’s financial operations. As written, this request would  
16 require Defendant to search for and produce documents that have no relation to the subject matter of  
17 this case, rendering it unduly burdensome and overbroad. The request also contains no timeframe.

18 Without waiving these objections, see DEF000385–DEF053686.

19 **REQUEST NO. 49:** All documents and communications evidencing or concerning your beliefs or  
20 statements, if any, that Boxabl was going to fail and go bankrupt.

21 **RESPONSE TO REQUEST NO. 49:** This request seeks irrelevant information as it asks for “all  
22 documents and communications evidencing or concerning your beliefs or statements, if any, that  
23 Boxabl was going to fail and go bankrupt.” Defendant was Boxabl’s controller, whose duties  
24 included working on Boxabl’s financial operations. As written, this request would require  
25 Defendant to search for and produce documents that have no relation to the subject matter of this  
26 case, rendering it unduly burdensome and overbroad. The request also contains no timeframe.

27 Without waiving these objections, see DEF000385–DEF053686.  
28

1 **REQUEST NO. 50:** All documents and communications evidencing or concerning your  
2 dissemination of information regarding the financial or operational activities of Boxabl to any  
3 Boxabl employees or third parties.

4 **RESPONSE TO REQUEST NO. 50:** The complaint is limited to private conversations between  
5 Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March  
6 10, 2023. See ECF No. 43 at ¶¶ 6, 7, 10, 16. While this request targets this information in part, it is  
7 also overbroad in seeking other communications outside the relevant timeframe and with third  
8 parties. Therefore, Defendant interprets this request to be limited to refer to private conversations  
9 between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to  
10 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
11 26(b).

12 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
13 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
14 texts.

15 **REQUEST NO. 51:** All documents and communications evidencing or concerning your  
16 dissemination of unfavorable facts or opinions about Boxabl to any Boxabl employees or third  
17 parties.

18 **RESPONSE TO REQUEST NO. 51:** The complaint is limited to private conversations between  
19 Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to March  
20 10, 2023. See ECF No. 43 at ¶¶ 6, 7, 10, 16. While this request targets this information in part, it is  
21 also overbroad in seeking other communications outside the relevant timeframe and with third  
22 parties. Therefore, Defendant interprets this request to be limited to refer to private conversations  
23 between Garman and other Boxabl employees within Boxabl's premises from September 30, 2022 to  
24 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
25 26(b).

1 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
2 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
3 texts.

4 **REQUEST NO. 52:** All documents and communications evidencing or concerning your  
5 dissemination of unfavorable facts or opinions about Boxabl employees, board members or other  
6 personnel, to any Boxabl employees or third parties.

7 **RESPONSE TO REQUEST NO. 52:** The complaint is limited to private conversations between  
8 Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to March  
9 10, 2023. See ECF No. 43 at ¶¶ 6, 7, 10, 16. While this request targets this information in part, it is  
10 also overbroad in seeking other communications outside the relevant timeframe and with third  
11 parties. Therefore, Defendant interprets this request to be limited to refer to private conversations  
12 between Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to  
13 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
14 26(b).

15 Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process  
16 of reviewing his text messages from the relevant timeframe and will be producing non-protected  
17 texts.

18 **REQUEST NO. 53:** All documents and communications evidencing or concerning any decisions by  
19 you or another employee at Boxabl to terminate your/his or her employment at Boxabl.

20 **RESPONSE TO REQUEST NO. 53:** The complaint is limited to private conversations between  
21 Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to March  
22 10, 2023. See ECF No. 43 at ¶¶ 6, 7, 10, 16. While this request targets this information in part, it is  
23 also overbroad in seeking other communications outside the relevant timeframe and with third  
24 parties. Therefore, Defendant interprets this request to be limited to refer to private conversations  
25 between Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to  
26 March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP  
27 26(b).  
28



Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process of reviewing his text messages from the relevant timeframe and will be producing non-protected texts.

**REQUEST NO. 54:** All other documents that are within your custody, possession or control and upon which you intend to rely in whole or in part, directly or indirectly, in connection with any claim or defense related to the above-captioned action.

**RESPONSE TO REQUEST NO. 54:** This request relates to the scope of the above-captioned action. The complaint is limited to private conversations between Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to March 10, 2023. *See* ECF No. 43 at ¶¶ 6, 7, 10, 16. However, as discussed in Defendant’s Motion for Protective Order and to Quash Deposition Subpoenas, Boxabl apparently no longer intends to limit its case to what was deliberately pled in the complaint. Therefore, Defendant interprets this request to be limited to refer to private conversations between Garman and other Boxabl employees within Boxabl’s premises from September 30, 2022 to March 10, 2023. This is the only relevant, and therefore discoverable, information under FRCP 26(b). In addition, Boxabl has failed to produce any documents or communications references in the complaint, despite being the plaintiff. Forcing Garman to comply with discovery obligations that should belong to Boxabl is an undue burden. *See* FRCP 26(c)(1).

Without waiving these objections, see DEF000385–DEF053686. Defendant is in the process of reviewing his text messages from the relevant timeframe and will be producing non-protected texts.

DATED this 20<sup>th</sup> day of May, 2024.

HUTCHISON & STEFFEN, PLLC

/s/ Shelby A. Dahl

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*Attorneys for Jonathan Garman*

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this 20<sup>th</sup> day of May, 2024, I caused the document entitled RESPONSES TO DEFENDANT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS to be served as follows:

- ☒ to be electronically served via email to the parties below; and/or
- ☒ to be placed in the U.S. Mail with pre-paid first-class postage; and/or
- ☐ to be faxed; and/or
- ☐ to be hand-delivered

to the attorneys listed below:

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The documents referenced can be downloaded from the following link:

<https://hutchlegal.egnyte.com/dl/Iqf8bM1b7A>

*/s/ Suzanne Morehead*

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An employee of Hutchison & Steffen, PLLC